

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

RODNEY HUNTER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-08-263-M
	)	
SHAWN LAUGHLIN,	)	
	)	
Defendant.	)	

**ORDER**

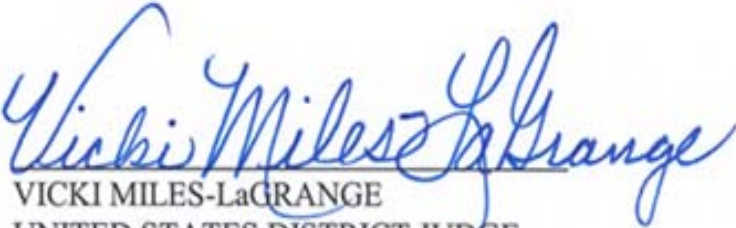
On November 24, 2008, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, seeking monetary damages and declaratory and injunctive relief for alleged constitutional violations committed by defendant. The Magistrate Judge recommended the Court grant defendant's motion for summary judgment and enter judgment against plaintiff because plaintiff has provided insufficient facts to show the existence of a genuine issue of material fact. Specifically, the Magistrate Judge indicates that plaintiff has not provided any facts from which to infer that defendant was motivated by an improper discriminatory purpose. Furthermore, the Magistrate Judge concludes that plaintiff has not shown the existence of a constitutional violation because a reasonable jury could not infer from these circumstances that plaintiff alone was prosecuted solely because he is African American. The parties were advised of their right to object to the Report and Recommendation by December 15, 2008, and plaintiff filed his objection on December 9, 2008.

Having carefully reviewed this matter de novo, the Court:

- (1) OVERRULES plaintiff's objections to the Supplement Report and Recommendation;
- (2) ADOPTS the thorough and well-reasoned Supplemental Report and Recommendation issued by the Magistrate Judge on November 24, 2008;

(3) GRANTS defendant's motion for summary judgment [docket no. 31].

**IT IS SO ORDERED this 15<sup>th</sup> day of December, 2008.**



VICKI MILES-LaGRANGE  
UNITED STATES DISTRICT JUDGE